

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2022-61-T - ORDER NO. 2022-275

MAY 13, 2022

IN RE:	Application of Jordan River Moving, L.L.C.	)	ORDER APPROVING
	d/b/a Jordan River Moving and Storage for	)	TARIFF AMENDMENTS
	Approval to Amend Tariff	)	

**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (Commission) by the February 8, 2022 application of Jordan River Moving, L.L.C. d/b/a Jordan River Moving and Storage, (Jordan River), seeking approval to amend its tariff. We approve the application as set forth in this order.

**II. FACTS AND PROCEDURAL HISTORY**

By way of history, the Commission granted Jordan River Class E certification as a household goods mover, with state-wide authority, in 2018. *See* Order No. 2018-721. More recently, the Commission approved an amendment to the company's bill of lading. *See* Directive Order No. 2020-309. Jordan River filed the current application on February 2, 2022, with an updated filing on the same day.

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to section 58-41-10(B) of the South Carolina Code of Laws (Supp. 2021), notified the Commission on February 3, 2022, Nicole M. Hair, Esquire, and Andrew M. Bateman, Esquire, would appear on behalf of ORS in this docket.

On February 7, 2022, the Clerk's Office of the Commission filed a Notice of Filing summarizing the proposed tariff changes:

**Item #10 – Heavy or Bulky Items**

Gun Safes up to 400 lbs. - \$300; 400 – 600 lbs. - \$500; 600 – 1,000 lbs. - \$900

**Item #14 – Container Prices**

Plasma TV Carton – Materials \$35/Materials plus packing \$35

Bicycle Box – Materials \$35/Materials plus packing \$35

**Item #29 – Hour Rates**

**Rates (Monday – Thursday)**

1 truck and 1 driver - \$85

1 truck and 2 men - \$115

Each additional guy - \$34

**Rates (Friday – Sunday & Holidays)**

1 truck and 1 driver - \$90

1 truck and 2 men - \$125

Each additional guy - \$34

The Notice of Filing required anyone interested in participating in the docket as a party of record to file a petition to intervene by March 15, 2022. No party intervened.

The Transmittal letter prepared by the Clerk's Office required the company to publish the Notice in a newspaper on or before February 22, 2022, and to provide proof of that publication on or before March 15, 2022. Jordan River provided information regarding the scheduled publication of the Notice on February 16, 2022, indicating the company asked the Notice to be published in *The State* newspaper on February 11, 2022.

Upon request, Jordan River provided the Commission with justification for the company's requests for the amendments by correspondence dated March 29, 2022:

When we open[ed] the company in 2018 and we started working we paid \$10 per hour now we pay \$16-\$19 depends on position. With our current rate we are unable to do local jobs.

Price of materials went up over 60% for all plastic and boxes, those are not going down. We don't even take fuel into calculation since it may change.

On April 7, 2022, the Commission issued Directive Order No. 2022-235, carrying the docket over at the Business Meeting “until we receive the results of the ORS impact study.”

On April 11, 2022, ORS filed a letter and an exhibit with the Commission indicating it had reviewed the application, conducted a compliance review, and found the company to be in compliance with Commission rules and regulations, in compliance with Annual Report and Gross Receipt filing requirements, and represented ORS had not received a consumer complaint about the company in the past year. The exhibit from ORS provided a tariff comparison of the approved and proposed rates:

	Description	Unit	Approved Rate	Proposed Rate	Increase Amount	% Increase
<b>Rates Per Hour</b>	Rate per one mover, residential	Per Hour	\$80.00	\$85.00	\$5.00	6.25%
	Rate per two movers, residential	Per Hour	\$110.00	\$115.00	\$5.00	4.55%
	Rate per two movers, residential Weekend (Fri-Sun and Holidays)	Per Hour	\$115.00	\$125.00	\$10.00	8.70%
	Additional Man	Each Per Hour	\$25.00	\$34.00	\$9.00	36.00%
<b>Heavy or Bulky Items</b>	Gun Safe up to 400 lbs	Each	\$150.00	\$300.00	\$150.00	100.00%
	Gun Safe 400-600 lbs	Each	\$150.00	\$500.00	\$350.00	233.33%
	Gun Safe 600-1000 lbs	Each	\$150.00	\$900.00	\$750.00	500.00%
<b>Container Prices</b>	Plasma tv Carton	Each	\$75.00	\$35.00	-\$40.00	-53.33%
	Plasma tv Carton with packing	Each	\$150.00	\$35.00	-\$115.00	-76.67%
	Bicycle Box	Each	\$75.00	\$35.00	-\$40.00	-53.33%
	Bicycle Box With Packing	Each	\$125.00	\$35.00	-\$90.00	-72.00%

On April 14, 2022, the Commission took action to approve the request of Jordan River to amend its tariff.

### III. LAW

The Commission is specifically authorized to regulate carriers of household goods and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” § 58-23-1010.

The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.

As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code of State Regulations 103-191 (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” Reg. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198.

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195.

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194.

#### **IV. FINDINGS OF FACT**

1. Jordan River provided sufficient justification to the Commission for the request to amend its tariff.

2. ORS determined Jordan River is in compliance with all applicable Commission rules and regulations, including the Annual Report and Gross Receipt filing requirements.

3. After review of the entire record, we find the proposed amendments to the tariff requested by Jordan River are reasonable.

4. We also find Jordan River must provide a Final Amended Tariff incorporating the amendments approved by this Order to the Amended Tariff to be effective.

## **V. CONCLUSIONS OF LAW**

1. The Commission has the authority to approve amendments to a motor carrier's tariffs as set forth in section 58-23-590 and 58-23-1010 of the South Carolina Code of Laws and Regulation 103-191 of the South Carolina Code of State Regulations.

2. The proposed amendments to the tariff are reasonable pursuant to Regulations 103-191 and 103-192.

## **VI. ORDERING PROVISIONS**

### **IT IS THEREFORE ORDERED THAT:**

1. The Application of Jordan River Moving, L.L.C. d/b/a Jordan River Moving and Storage to amend its tariff is approved.

2. Jordan River is required to provide a Final Amended Tariff, with the amendments approved by this Order incorporated in proper format, to the Commission with a copy to the Office of Regulatory Staff, within ten days of the date of issuance of this Order.

3. The Final Amended Tariff resulting from this Order must be filed by Jordan River to become effective. Upon filing with the Commission and copy to the Office of Regulatory Staff, Jordan River may implement the rates, charges, terms, and conditions in its Final Amended Tariff as set forth in this order.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



A handwritten signature in blue ink, appearing to read "Florence P. Belser", is written over a horizontal line.

Florence P. Belser, Vice Chair  
Public Service Commission of  
South Carolina